

AGENDA ITEM #13

September 10, 2004

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: Update on Spheres of Influence in the Legal Delta
(*For Commission Information*)

DEFINITION OF THE PRIMARY ZONE:

The Delta Protection Act defines the Primary Zone as

"the delta land and water area of primary state concern and statewide significance which is situated within the boundaries of the delta...but that is not within either the urban limit line or **sphere of influence** line of any local government's general plan or currently existing studies as of January 1, 1992. The precise boundary lines of the primary zone includes the land and water area as shown on the map titled 'Delta Protection Zones'..."(Section 29728).

BACKGROUND:

Under Government Code (Section 56425), County Local Agency Formation Commissions (LAFCO) approve spheres of influence (sphere) to promote logical and orderly development. Spheres also promote planning efforts among cities, counties and special districts and address concerns regarding land use and development standards, premature conversion of agriculture and open spaces lands and efficient provision of services. Inclusion in a sphere does not necessarily indicate that the area will be annexed or developed. An Urban Service Area boundary indicates a city's intention to develop and provide urban services.

LAFCOs consider the following, when considering a change to a sphere:

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area (if relevant to LAFCO)

In addition, review of proposals that could reasonably be expected to lead to the conversion of existing open-space lands to other uses, LAFCO can consider the following (Government Code Section 56377):

- (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area;
- (b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.

CHANGES TO CITY SPHERES OF INFLUENCE AROUND THE PRIMARY ZONE:

Contra Costa County:

Antioch: NA

Brentwood: No change since 1997

Oakley: Adopted in 1999 as part of creation of new city. Amended in August 2003.

Pittsburg (includes Browns Island in Primary Zone):

Contra Costa County: modified and made smaller its urban limit line (the area appropriate for development) in 2003

Sacramento County:

Elk Grove: Adopted in 2002 as part of creation of new city.

Annexed Laguna West in 2004.

Isleton: Updated 1983

Isleton is considering a sphere amendment, but no application has been received by the Sacramento LAFCO.

City of Sacramento: Updated 1981

The Sacramento County LAFCO recently voted to approve annexation of the Community of Freeport into the City limits of the City of Sacramento. The annexed area is already developed, bounded by the City on the north and east, a City-owned golf course to the south and the Sacramento River and Primary Zone (Yolo County) to the west. No change in land use is anticipated as a result of the annexation; the Community does seek access to potable water and sewer lines as a result of annexation.

San Joaquin County:

Lathrop: NA

Lodi: Amendment Pending

The City proper is located well to the east of the Delta boundary. The City of Lodi currently owns and operates a sewage treatment plant located west of I-5 within the Secondary Zone. The plant releases some of its treated wastewater into Telephone Cut, a waterways which flows into the Primary Zone, and applies other wastewater to City-

owned agricultural lands in the Secondary Zone. The City is currently reviewing a proposal to increase the Wastewater Treatment Plant SOI from 1,040 acres to 5,280 acres to allow for additional storage of wastewater and additional on land disposal on City owned agricultural lands. This proposal would eliminate disposal of treated wastewater into the waters of the Delta. City review is scheduled for September.

Stockton: Amendments Pending

The City of Stockton is currently updating its General Plan. Several large tracts of land within the study area of the General Plan update request concurrent consideration for annexation into the City's SOI. Three are currently scheduled for LAFCO consideration in September, including:

- Westlake Village, Bishop Tract: 856 acres, requested by Spanos Company, *not* in Williamson Act contract, currently in agricultural use, Prime soils in Secondary Zone adjacent to Primary Zone (King Island)
- Shima Tract: 1,968 acres, requested by Grupe Company, currently in Williamson Act contracts slated to expire 2012, currently in agricultural use, Prime soils, in Secondary Zone adjacent to Primary Zone (Rindge Tract)
- Thompson Parcel, Bishop Tract: 2,000 acres, requested by Spanos Company, *not* in Williamson Act contract, currently in agricultural use, Prime soils, in Secondary Zone adjacent to Primary Zone (King Island)
- Northwest Stockton, Bishop Tract, and other lands: 2,798 acres, request by Spanos Company, PG&E, Sereaypheap, and Fugazi, some of the lands are currently in Williamson Act contracts, currently in agricultural and golf course uses, Prime soils, in Secondary Zone but not adjacent to Primary Zone.

Tracy: Amendments Pending

Solano County:

Dixon: Updated 1996; scheduled for review in 2005

Rio Vista: Updated 1995; scheduled for review in 2005

Yolo County:

West Sacramento: Adopted 1986

Preliminary application has been submitted to the City to annex and re-zone 860 acres of land in the Secondary Zone. The site is south of the current City limits and separated from the Primary Zone by a large ranch in the Secondary Zone that is subject to a conservation easement held by the Yolo Land Trust. The site is bounded by the Deepwater Ship Channel to the west and the Sacramento River to the east.